



CALIFORNIA SCHOOLS



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INVESTIGATION OF THE EDUCATIONAL NEEDS OF SPASTIC AND CRIPPLED CHILDREN

HELEN HEFFERNAN, Chief of Division of Elementary Education

A state-wide survey of the problem of children with cerebral palsy, including data on the location and numbers of the children and their educational needs, has been undertaken by the Division of Elementary Education of the State Department of Education. The survey is in co-operation with the State Department of Public Health and conforms to the recommendations contained in the Assembly Concurrent Resolution No. 30 adopted by the California State Legislature.

City school superintendents, district school superintendents, and principals of independent high school districts are being requested to reply to a five-page questionnaire regarding children with cerebral palsy (spastics), and to fill out a one-page report for each individual child with cerebral palsy. County superintendents of schools are being requested to perform the same service for all schools not administered by a city or district superintendent of schools or a high school principal.

The basic data supplied by the administrators of the public schools of California are necessary in order to make an accurate and comprehensive report to the California Legislature in January, 1945. On the basis of these data, recommendations for developing more adequate facilities and services for the care of these children will be made. A recent publication of the National Society for Crippled Children states that of all crippled and handicapped children, the cerebral palsied child is the most neglected, the least understood, and the most needful of our attention. It is the intensity of their difficulties that has "pushed the cerebral palsied child into the farthest and darkest corner of our national conscience."

The same publication calculates an annual increment of seven cerebral palsied children per 100,000 of general population. Of these seven, one dies before reaching the age of six, thus leaving six for every age group. The result is a constant case load of 96 cerebral palsied children under the age of 16 for every 100,000 of population.¹

The particular intent of the Assembly resolution was to accumulate information relative to one type of physically-handicapped child, namely, the child with cerebral palsy, designated *spastic* in the wording of the resolution. Of the estimated 35,000 crippled children in California

¹ *The Farthest Corner*. Prepared under the supervision of Winthrop Morgan Phelps, M.D. by T. Arthur Turner. Elyria, Ohio: National Society for Crippled Children, 1943, p. 4, 6.

some 5 to 10 per cent have cerebral palsy or are spastic children, to use the common terminology. The peculiar difficulties confronting children with cerebral palsy have already been recognized by the California Legislature. In addition to the general legislation which provides reimbursement to local school districts for the excess cost of educating physically-handicapped children up to \$200 per unit of average daily attendance, the Legislature has provided that children suffering from cerebral palsy (spastic paralysis) may be admitted to special classes established for such children as young as 3 years of age. The Legislature has further provided that governing boards of school districts must provide transportation for pupils whose physical handicap prevents their walking to school, and may provide it for others. The most serious cases of cerebral palsy would benefit particularly as a result of this service.

Authorities state that a spastic condition is generally a result of congenital malformation or of premature birth although inflammatory processes and the progressive degenerative diseases contribute to the condition. Although the disturbance is commonly called spastic paralysis, it is not a true paralysis since there is no loss of motion or sensation but rather an exaggerated motion due to certain muscles becoming stronger than opposing muscles. According to Dr. Carlson, a national authority on the treatment and education of the birth injured, for those children who learn to walk, "the gait is quite characteristic, the toes scrape along the floor, the heels are not brought down, and the spasm of the thigh muscles forces the individual to progress in a cross-legged fashion."² For children with cerebral palsy speech is difficult, motor responses are accompanied by jerky movements and facial grimaces. They are frequently classified as mentally deficient because of inability to express their intelligence through motor responses. Their unusual behavior is likely to result in rejection by a group of normal children thereby aggravating the emotional conflicts invariably suffered by the cerebral palsied.

In passing this resolution, the California Legislature was cognizant of the program already in operation for the education of physically-handicapped children. Marked progress has been made during the past decade under the law for the education of such children. In the year 1934-35, excess cost apportionments were made to elementary school districts for 2,910 children in average daily attendance; in 1943-44, excess cost apportionments were made to elementary school districts for 4,493 children in average daily attendance. The number of physically

² Earl D. Carlson, M. D., "The Education of the Birth Injured," *Crippled Children*, XI (April, 1934), 98-101.

handicapped children in high schools for whom excess cost apportionments were made increased from 343 in average daily attendance in 1934-35 to 1,704 in 1943-44. Through special schools, special classes, adequate means of transportation and, in certain cases, by providing home teaching, the schools have been able to serve a large per cent of physically-handicapped children.

ARTICULATION OF AREAS OF SECONDARY EDUCATION: PROPOSALS OF HIGH SCHOOL AND JUNIOR COLLEGE PRINCIPALS

FRANK B. LINDSAY, Assistant Superintendent of Public Instruction

At the annual meetings of the Association of California Secondary School Principals (San Jose, April 3-4, 1944) and the California Junior College Federation (Bakersfield, April 23-24, 1944), certain resolutions and proposals were adopted which have special interest for California school administrators.

I. ARTICULATION OF JUNIOR COLLEGE EDUCATION WITH OTHER LEVELS OF PUBLIC EDUCATION

The committee whose report was adopted by the California Junior College Federation consisted of Miss Grace V. Bird, Bakersfield Junior College, Chairman; Harold B. Brooks, Principal, George Washington Junior High School, Long Beach, and President, Association of California Secondary School Principals; Frank N. Freeman, Dean, School of Education, University of California, Berkeley; D. R. Henry, Ventura Junior College; B. E. Peterson, Glendale Junior College; and Hubert Phillips, Dean, Fresno State College. It is here presented as finally amended by the Federation.

1. The committee understands "articulation" to mean :
 - a. Continuous mutual understanding of the particular aims and services of the high schools, the junior colleges, and state colleges, and the state university—all or severally—as they deal with the same student.
 - b. Guidance and transfer procedures which result in the smooth, effective, and most favorable movement of the student from one educational level to the next (grades eleven to sixteen). This includes the smooth and effective movement of the student to employment through carefully co-ordinated placement practices in high schools and junior colleges serving a common area.
 - c. Curriculum articulation in "general education" to insure a wise distribution of fundamental general education experience at proper maturity levels (based, so far as possible, on a common conception of the nature and aim of general education, its differentiation at different maturity and for different terminal groups).

- d. Curriculum articulation in "specialized education" to insure fullest growth in proficieney or its equivalent without undue or unproductive repetition.
- e. Recognition of potential needs for articulation of personnel practices, credit allowance practices, and curriculum development in special school services such as continuation education, adult education, and with special educational agencies such as Armed Forces Institute.

2. The committee believes its task to be :

- a. To assume that the topic is being discussed because there is need or desire for improvement of articulation.
- b. To explore the supposed needs or desires.
- c. To note the services of existing agencies which now undertake to promote co-ordination. (e.g. State Superintendent's Advisory Committee, California Committee on Education, Affiliations Committees.)
- d. To propose means and procedures that might bring about the improvements needed or desired.

3. Areas of need for improvement in articulation which the committee believes are critical :

- a. Development of better mutual understandings and more effective co-operation between all levels of secondary and postsecondary education.
- b. Co-ordination of high school and junior college curriculums especially in the semiprofessional areas.
- c. Establishment of a co-ordinated guidance service through high school and junior college years.
- d. Evolving means (including legislation, if necessary) that will permit superior twelfth-grade students to undertake some thirteenth-grade work when strongly advisable and to receive proper thirteenth-grade recognition of credits.
- e. Evolving commonly acceptable principles with reference to guidance and curriculum co-ordination with evening schools and specialized schools.
- f. Attaining a satisfactory balance between vocational education and general education on high school level and junior college level.
- g. Co-ordinated over-all planning for education of veterans.

4. The committee proposes that master committees on relations between educational units be established, the State Department of Education to be represented by not less than two members on each of the committees described below; and whenever special attention is to be given articulation in areas in which the State Department of Education maintains a special division (for example, trade and industrial education, or adult education,) the chiefs of those divisions to be invited to meet with the committees.
 - a. *The California Junior College Federation shall establish a Conference Committee on Relations with High Schools, State Colleges, and State University.*

It is suggested there be not less than seven nor more than nine junior college members. It is suggested that at least one member be chosen from among the junior college representatives on the State Superintendent's Advisory Committee and that one member be the active President of the Federation. It is suggested the Committee meet twice each year with a similar Committee of the Association of California Secondary School Principals, once each year with a similar Committee of the State Colleges, once each year with a similar Committee of the University of California, and once each year with all four committees in joint session. It is suggested that, since this new Committee on Relations with High Schools, State Colleges, and State University would assume, among other responsibilities, those formerly carried by the Junior College Conference Committee on Relations with the University, the junior college membership on the Conference Committee be reappointed or discontinued.

- b. *The University of California shall be invited to establish a Conference Committee on Relations with Junior Colleges and High Schools.*

This committee may replace the existing Junior College Conference Committee and the High School Affiliations Committee, or it may supplement them. It is suggested there be not less than seven nor more than nine regular University members. Whenever special attention is to be given to curriculum co-ordination affecting special colleges or divisions of the University, it is suggested representatives of those colleges or divisions be invited to meet with the committees. It is suggested the Committee meet once each year with each of

three similar committees of the Junior College Federation, the Association of California Secondary School Principals, and the State Colleges, and once each year in a joint meeting with all four committees.

e. *The Association of California Secondary School Principals shall be invited to establish a Conference Committee on Relations with Junior Colleges, State Colleges, and State University.*

It is suggested there be not less than seven nor more than nine secondary school members. It is suggested that at least one member be chosen from among the high school representatives on the State Superintendent's Advisory Committee, and that one member be the active President of the Association. It is suggested the Committee meet twice each year with a similar Committee of the Junior College Federation, once each year with a similar Committee of the State Colleges, once each year with a similar Committee of the University of California, and once each year with all four committees in a joint session. It is suggested that, since this new Committee on Relations with Junior Colleges, State Colleges, and State University, would assume, among other responsibilities, those formerly carried by the Affiliations Committee, the high school membership on the Affiliations Committee be reappointed or discontinued.

d. *The State Colleges shall be invited to establish a Conference Committee on Relations with Junior Colleges and High Schools*

It is suggested there be not less than five nor more than nine regular state college members. It is suggested the Committee meet once each year with each of three similar committees of the Junior College Federation, the Association of California Secondary School Principals Association, and the University of California, and once each year in a joint meeting of all four committees.

5. Recommendations of governing principles and procedures for the committees and the joint committee:

- a. Outlining (by the committees themselves) of the principles that will govern their efforts.
- b. Exploration of weaknesses in transfer procedures; recommendation of remedies.

- c. Exploration of major problems in curriculum articulation.
 - Referral to agencies for study and conclusions.
 - Recommendation of remedies.
- d. Exploration of successful programs of co-ordinated student personnel practices between selected junior colleges and secondary schools.
- e. Careful circularizing of all junior colleges and other educational units for evidence of persistent specific articulation problems.
- f. Inviting the judgment of other agencies, such as the State Curriculum Commission, whenever problem lies in areas such agencies are studying.

II. ARTICULATION OF JUNIOR COLLEGE EDUCATION AND THE SERVICES OF ADULT CLASSES

As amended by the California Junior College Federation, there is presented the report of the committee on adult education whose members were Rosco C. Ingalls, chairman, Los Angeles City College; Arthur T. Bawden, Stockton Junior College; John W. Harbeson, Pasadena Junior College; John L. Lounsbury, San Bernardino Valley Junior College; Leland M. Pryor, Pasadena Junior College, chairman of Committee on Junior College Problems, California Teachers Association; and James R. Tormey, director, San Mateo Junior College Adult Center.

1. The functions of a junior college are:

a. Through regular junior college classes

1) To provide preprofessional training for upper division work continued at the university or a four-year college. This includes that parallel lower division university work in content, standards, textbooks, and promotional requirements.

The above type of training includes also courses and instruction designed to remove deficiencies in subjects and grades for the purpose of pursuing preprofessional work.

2) To provide semiprofessional training, now designated on a national basis as terminal education, designed to establish through courses and curriculums of two years in length, or less under accelerated conditions, (a) occupational competency, (b) civic competency, (c) social competency, and (d) personal development.

Wherever possible, curriculums of this type require community surveys, the use of the Co-operative Training Plan, the

services of a lay advisory committee, an aptitude testing program for admission to training, counseling service, and an employment service for follow-up and adjustment. The success of such courses and curricula are measured by the abilities of graduates to secure and continue in employment coordinated with their training.

- 3) To provide vocational training of the trade school type, through specialized courses and curriculums whenever such service is not provided by other established units of the local school system.
- 4) To establish and maintain adequate articulation procedures with the local senior high schools to insure successful advancement of high school graduates.
- 5) It is to be understood that the above functions prevail in any type of junior college organization that may be used; for example: 6-4-4, 8-4-2, 6-3-3-2, 8-6, etc.

b. Through Adult Education

The objectives of an adult education program were defined by a recent Planning Conference on Postwar Education, held at the University of California at Los Angeles, January 10 and 11, 1944.

- 1) Adult Education should, in aiding adults to assume and discharge their responsibilities as citizens
 - (a) Promote an internally minded citizen of democracy.
 - (b) Provide the skills and knowledge necessary to a participant in the processes of self-government.
 - (c) Provide for inter-racial understanding and a recognition of the rights and responsibilities of both majorities and minorities.
 - (d) Understand economic and social relationships.
- 2) Adult Education must recognize the essential value of home life by:
 - (a) Providing opportunities for the study of human relationships and human development in families.
 - (b) Generating discontent with remediable situations.
 - (c) Stimulating the intelligent use of nursery schools and other supplementary agencies.

- 3) Adult Education must provide the opportunities through which the individual realizes his potentialities as an economic producer by:
 - (a) Providing for his vocational guidance and training.
 - (b) Providing for his education as a consumer.
- 4) Adult Education should contribute to an enriched and more mature culture through:
 - (a) Providing for an increase in both skills and appreciation in the leisure arts.
 - (b) Providing an intelligent environment in which the adult can shape his attitudes into more mature and satisfying patterns.

The junior college and adult education program as defined above aim, therefore, to develop individuals who are competent in their economic relationships, their civic relationships, and their social relationships. The individual will also be encouraged to develop to the maximum all interests, aptitudes, and abilities for his personal development.

Misconceptions as to the nature and functions of the junior college must be judiciously avoided because of the word "junior." Local units should have freedom to change the name of the junior college.

2. Principles to guide the administrations of the educational units that will work to realize the defined functions.
 - a. Junior College is a community institution; it serves the entire population of the community on the fundamental premise that education is a continuing and lifelong process.
 - b. The junior college educational program should be established and maintained on a nontuition basis as a part of the free public secondary educational system in the State of California. Such a policy is democratic and in accord with the history and tradition of California.
 - c. The terminal education program (technical institute type) should operate in the following areas:
 - 1) Agricultural fields and related branches
 - 2) Industrial employment and all of its phases
 - 3) Public service in all of its divisions
 - 4) Business and the distributive occupations with its related services

- 5) The various fields that promote the advancement of a liberal education
- d. Because prospective personnel in the days immediately ahead will demand acceleration in training for preprofessional courses and curriculums, for terminal courses and curriculums, for intensive trade courses, and for placement in employment, the junior college should prepare to operate on a daily schedule, 7:00 a.m. to 10:00 p.m., and on a calendar of twelve months, i.e., a year-round basis. The junior college may through the establishment of branches be taken to locations where students are found in sufficient number to justify the establishment of a branch.
3. A statement of principles to govern situations in which conflicts as to jurisdiction may develop.
 - a. The first consideration in jurisdiction is the rendering of the greatest service to the community and the citizens thereof.
 - b. The local school administration should determine where the responsibility for adult education should be placed.
 - c. The University of California and the state colleges have the primary responsibility for the upper division and postgraduate courses for adults but also should supplement the adult education offerings in local districts where the offering provided through local high school or junior colleges does not meet the needs in special fields.
 - d. The extension of programs of adult education by state colleges and the Extension Division of the University of California into a locality should take place only after conference with local public school authorities. In all such cases, the interests of other local nonpublic agencies providing programs of adult education within the locality also should be regarded, as should also the instructional staff available.
 - e. The University of California in seeking support for its Extension Division and for its general program of Adult Education both for special postwar needs and for its regular program thereafter should base its requests to the Legislature and the Governor upon the justifiable needs of its program as delimited above, without confusing support for that type of program which is independently operated by it with the type of support which prevails for the support of the public school program of the state.

f. Included here also is the resolution recently adopted by the Education Council of the California Teachers Association at San Francisco, April 8, 1944:

WHEREAS, The development of a separate classification of schools to serve adults would further complicate the present forms of district organizations and control at a time when simplification and unification are needed in the interest of educational efficiency and economical management. Now further be it

RESOLVED, That the California Teachers Association lend its support only to such plans for the development of adult education in district public schools as are, or will be, organized and conducted within the framework of the existing classifications of secondary schools, and will oppose the institution of any new and separate classification within the district public school system designed to foster adult educational services.

g. Junior College—"Adult Education" programs may be extended by a junior college through the establishment of branches into another school district for the purpose of making available more effective "adult education" services provided such action is properly coordinated and agreed to in advance by the districts concerned.

h. It is obviously not in order to meet educational needs, so far as they can at present be anticipated, by approving legislation or sponsoring legislation or proposals that would set up regional, technical, or trade schools within territory already under the jurisdiction of a public school agency of junior college grade serving that area.

i. The encouragement to extend rather than reduce junior college opportunity should be written into the law and incorporated in the policy of the State Board of Education, providing that at all times due regard for costs and economies is respected.

4. Financing the programs (the following principles should govern the financial organization, administration, implementation of adult education under the public secondary school system of California.)

a. The legislative committee of the federation shall be instructed to confer with the proper representatives of other professional organizations (State Department of Education, superintendents of schools, California Teachers Association, secondary school administrators, adult education) for the purpose of arriving at a satisfactory basis for implementing the above principles through appropriate legislative action.

- b. It is fair to local districts within the state to urge that the law governing the apportionment of state funds to junior colleges and to high school districts where upper-grade enrollment is increasing and where junior college enrollment is increasing be amended so that the state shall quarterly allocate average daily attendance apportionments based upon the average daily attendance earned in the preceding quarter so that the state appropriations for the support of this type of educational offering will tend to increase concurrently with the increase in enrollment.
- c. The following five points were referred to the Legislative Committee for their study and guidance:
 - 1) Equal state average daily attendance apportionment for equivalent services.
 - 2) Equalization of educational opportunities throughout the state.
 - 3) Expansion, not restriction, of public secondary school "adult" education.
 - 4) Encouragement of such district and agency unification as will promote more efficient educational services.
 - 5) Encouragement of local solutions leading to cooperation and coordination to better utilize existing facilities, and to avoid needless duplication of effort and costs.
- 5. Some principles governing courses and curriculums in the junior college.
 - a. Some form of the Co-operative Training Plan should be incorporated in the junior college program wherever possible.
 - b. In addition to the adoption of principles by which to determine the amount of credit allowed for military experience and courses studied through the Armed Forces Institute, it appears desirable to adopt the policy of credit by examination for certain courses in which the applicant may claim proficiency. Junior college administration should be organized now to provide such examinations.
 - c. Certificates of proficiency rather than junior college diplomas, or in addition to junior college diplomas, should be issued to students upon satisfactory completion of specified courses of any specified length.

- d. Technical institute courses and curriculums have nearly all the characteristics which identify terminal (occupational) curriculums in California junior colleges. Junior colleges have in addition certain characteristics, for example, flexibility, that are highly essential in postwar planning. Terminal courses and curriculums (technical institute type) in the California junior colleges represent only one type of major educational service among three or four types provided by California junior colleges.

III. CERTAIN RESOLUTIONS OF THE ASSOCIATION OF CALIFORNIA SECONDARY SCHOOL PRINCIPALS

Critical considerations dealing with leadership in education generated through the State Department of Education, formulation of a state policy toward emergency credentials, and support of the California Youth Authority were the subjects of resolutions adopted by the state organization of principals.

1. Inasmuch as there is a pressing need for aggressive and continuous leadership, research, program planning, and recommendations for legislation, increased in importance by the war and anticipated postwar conditions;

And since such activities should properly be centered in the State Department of Education;

Be it resolved, That the State Superintendent of Public Instruction, the State Superintendent's Advisory Council, and the Governor of the State of California be urged to secure immediately personnel for the present unfilled positions in the State Department of Education and that an effective division of educational research be established, properly staffed, and adequately financed to make the administration of education in the state efficient, adequate, and forward looking.

2. *Be it resolved*, That the State Department of Education be requested to develop a plan whereby the work of the junior high schools of the state may be surveyed and evaluated in line with their functions and objectives, and the findings printed for distribution.
3. Adult education, junior and senior high schools, and junior colleges have many problems in common. The problems will be increased by returning soldiers and by those released by the war industries.

Be it resolved, That the district council meetings devote proportionate amounts of time and considerations to the various prob-

lems of each of the various secondary school units, and that the same consideration be given at regional and state meetings.

4. The present acute shortage of teachers and school administrators is being met in a practical and effective manner by the issuance of credentials on the emergency basis under the authorization of Chapter 815, Statutes 1943, Educational Code 12008.1. All such credentials now being issued on the emergency basis will, under provisions of existing law, expire not later than the school year during which the President declares that the present national emergency ceases to exist.

Be it resolved, Therefore, that we are in full agreement with the present provisions governing the issuance of credentials;

Be it further resolved, That the present regular credential standards be maintained and that regular credentials be issued only to applicants who meet present regular credential standards;

Be it further resolved, That the State Department of Education and the State Legislature be urged to oppose vigorously any lowering of standards for regular credentials, or any proposal to extend the period of validity of credentials issued on the emergency basis beyond the close of the school year during which the President declares the emergency ceases to exist.

5. We are now in a very critical period in the matter of delinquent youth. The present state facilities for detention and long term placement of these delinquent youths are inadequate.

Be it resolved, That we urge the Governor to include the consideration of this problem at the next session of the California State Legislature to the end that there shall be provided sufficient funds for satisfactory housing and supervision of such youths as may be in need of correction and for making it possible for the California Youth Authority to continue its program of expansion for youth correction.

DEPARTMENTAL COMMUNICATIONS

OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION

WALTER F. DEXTER, Superintendent

CONGRESSIONAL MEASURE PROPOSED TO CORRECT INEQUALITY OF PRICES PAID FOR TYPEWRITERS RELEASED BY SCHOOLS FOR MILITARY USE

Many schools released typewriters to the Procurement Division of the United States Treasury Department for use in the military services. The price paid by the Procurement Division for these machines was increased on or about January 14, 1943, by the amount of \$7.00 for each machine. Schools that released typewriters prior to this date received a lesser amount than schools that released machines after this date.

H. R. 4409 has been introduced in the House of Representatives to correct this inequality. It provides that persons, schools, firms, and corporations who sold typewriters to the Procurement Division prior to January 14, 1943, shall receive a further payment of \$7.00 for each typewriter released.

The State Department of Education suggests that school officials urge senators and representatives in Congress to support H. R. 4409.

INTERPRETATIONS OF SCHOOL LAW

ALFRED E. LENTZ, Administrative Adviser

[The following items are merely digests, and although care is taken to state accurately the purport of the decisions and opinions reported, the items have the limitations inherent in all digests. The reader is therefore urged to examine the complete text of a decision or opinion and, when necessary, secure competent legal advice before taking any action based thereon.]

APPELLATE COURT DECISIONS

Power of Governing Board of District to Re-rate Teachers for Salary Purposes

Where employees of the governing board of a school district in applying the will of the board as expressed in the salary schedule adopted by the board or in some resolution adopted by the board erroneously rated teachers of the district too high in determining their places in the salary schedule, the board, upon discovering the error, may lawfully recover illegal payments for the period not barred by the statute of limitations and is required to restore the teachers to their proper ratings. But when the board has once adopted a policy for the rating of teachers for salary purposes and without fraud, error, or mistake rates a teacher under that policy, although the board may change its policy as to new entrants into the employ of the district, it has no power later to go back and review that teacher's case and re-rate the teacher on the theory that the original rating was too high; the board having once lawfully acted in rating a teacher has exhausted its power (citing School Code Sections 5.731 and 5.734 [now Education Code Sections 13802 and 13805] and cases.)

School Code Sections 5.760 and 5.761 [now Education Code Sections 13881 and 13882] have no application in cases which do not involve disputes over whether warrants of the teachers were being properly withheld and in which the dispute is over the right of the governing board of a district to re-rate teachers for salary purposes.

Aebli et al. v. Board of Education of the City and County of San Francisco et al., 62 A.C.A. 827; hearing by Supreme Court denied March 30, 1944.

Determination of Age of Person Under District Retirement System

Where a building engineer employed by a school district was a member of the district retirement system (School Code Sections 5.1100 *et seq.* now Education Code Sections 14701 *et seq.*) and was retired in

1941 by the governing board of the district on the ground that such employee had reached the compulsory retirement age (67 years) prescribed by the district retirement system because of the verified statement of the employee that he had been born in 1873, and the employee acquiesced in his retirement for 15 months but later applied for and secured a "delayed birth certificate" from another state, based on affidavit of persons that in 1882 he was apparently about 5 years of age and giving the year of his birth as 1877, and then demanded reinstatement by the board, the board was not bound to accept the "delayed birth certificate" as conclusive but was authorized to draw its conclusions from the evidence as a whole and its action in refusing him reinstatement as an employee of the district will not be disturbed. *Wallace v. Board of Education of the City of Los Angeles et al.*, 63 A.C.A. 767.

CORRECTION

On page 97 of the April, 1944 issue of *California Schools*, the date of AGO NS5332, given as February 18, 1943 is February 18, 1944.

ATTORNEY GENERAL'S OPINIONS

"Schools" Defined

The term "school" or "schools" when used without qualification in the Education Code usually refers to a public school only but the context of the section must be examined in each instance to determine whether private schools are included. (AGO NS5393, April 5, 1944.)

Foreign Language Schools

Chapter 921, Statutes of 1943, providing for the licensing and supervision of certain schools teaching a foreign language or in which instruction is given in a foreign language, is constitutional and it is the duty of the State Board of Education to administer and enforce the law so far as it is able with the funds at its command. (AGO NS5368, March 27, 1944.)

Voting Time Allowed School District Employees

Under Elections Code Section 5699 an employee of a school district is entitled to whatever time off from his employment is necessary, up to two hours, to permit him to vote at any general, direct primary, or presidential primary at which he is entitled to vote; but he is not entitled to any time off if the facts show no time off is needed. (AGO NS5351, April 5, 1944.)

Validity of Statute Transferring Santa Barbara State College to the University of California

Chapter 1130, Statutes of 1943, abolishing the Santa Barbara State College and creating in its place and stead a branch of the University of California, is not in violation of Section 6 of Article IX, Section 9 of Article IX or Section 25 (subdivision 33) of Article IV of the California Constitution. (AGO NS5403, April 17, 1944.)

Jurisdiction Over Private Schools and Places for the Care of Children Under 16 Years of Age

Both the State Department of Social Welfare (Welfare and Institutions Code Sections 1620-1630) and the appropriate public school authority (Education Code Section 16624 *et seq.*) have equal responsibility for examining and determining the nature of places where children under 16 years of age are kept and educated and each must perform the duties imposed upon it by law, independently of the other.

An institution which is primarily a school may also be an institution for the reception and care of children and is subject to the laws relating to each. If an institution gives some children board and lodging and proper educational instruction as a school, the institution is, for such children, a school. If, however, the institution cares for other children for whom it did not render complete or proper educational facilities, but rather cares for them as an institution within the Welfare and Institutions Code, it must be inspected and licensed by the Department of Social Welfare.

A private institution which is in fact a school that provides its pupils with entirely inadequate instruction but is otherwise a school of unsatisfactory character must be dealt with as provided in Education Code Sections 16861-16865. (AGO NS5393, April 5, 1944 amplifying AGO NS4674.)

Maintenance of War Production Classes by School Districts

The rule set forth in Opinion NS4627 (digested on page 244, December, 1943, issue of *California Schools*) does not prohibit the establishment and maintenance of war production classes by a school district as a part of the War Production Training Program administered through the State Board of Education when in such classes employees of companies engaged in war production are enrolled as students for training and while receiving such training manufacture articles for use by such companies which furnish the materials necessary for the manufacture of such articles, the district receiving no compensation from the companies. (AGO NS5369, March 27, 1944.)

Licensing of Defense Training Schools

Chapter 574, Statutes of 1943 (adding Section 16500 *et seq.* to the Business and Professions Code), providing for the licensing of defense training schools by the Director of Professional and Vocational Standards, is not applicable to defense training courses given by chartered institutions of higher learning, or by high schools and junior colleges, or by an industry for the education of employees of the industry. (AGO NS5361, March 13, 1944.)

Availability of Postwar Planning Funds to University of California

Funds appropriated by Section 4 of Chapter 572, Statutes of 1943, may be expended for the preparation of surveys, plans, specifications and other preliminary work necessary to a program of construction on land owned by the Regents of the University of California, but such funds may not be allocated to the University for expenditure for architectural services nor may the Department of Public Works contract with the University for the furnishing by the latter of architectural services. (AGO NS5354, March 30, 1943.)

Qualifications of Private School Teachers and Private Tutors

In determining whether a person employed in a private school is "capable of teaching" as required by Education Code Section 16625 [16624], the standards to be used should be comparable to those required for public school teachers excepting only as to the holding of credentials (citing AGO NS3965). Private tutors employed in accordance with the provisions of Education Code Section 16625 must "hold a valid credential for the grade taught". Enforcement provisions are found in Education Code Sections 16861-16865. (AGO NS5393, April 5, 1944.)

Use of District Owned School Buses for Transportation of Children To and From Summer Camps and Day Care Centers

Chapter 1, Statutes of the First Extra Session, 1941-1942, does not authorize the use of school buses owned by a school district for the transportation of children under 18 years of age to and from summer camps when the transportation thereof has been approved by the Office of Defense Transportation but does authorize the use of such buses for the transportation of children under 12 years of age to and from day care centers when such transportation has been approved by ODT. (AGO NS5398, April 19, 1944.)

FOR YOUR INFORMATION

INSTITUTE ON STUDENT PERSONNEL WORK, UCLA

An institute on student personnel work will be held on the Los Angeles campus of the University of California during the week beginning July 24, in connection with the 1944 Summer Session.

The institute is designed to help colleges and universities of the western states in the evaluation and development of student personnel services. It is being planned in collaboration with Western Personnel Service, itself a cooperative association of western colleges and universities formed to work together on student personnel problems. The academic council of Western Personnel Service, under the chairmanship of Dean Karl Onthank of the University of Oregon, is assisting Winifred Hausam, Director, and Helen Fisk, Associate Director, in the preparation of the program.

Leader of the institute will be Dr. E. G. Williamson, dean of students, University of Minnesota; president of the American College Personnel Association; chairman of the Student Personnel Committee of the American Council on Education.

Morning sessions will be open to all persons who are interested in training for leadership. Afternoon sessions will be open to institute members only and will be devoted to discussion of techniques for professional student personnel workers. Registration as members of the institute will be limited to representatives from colleges and universities.

Further details may be secured from the Director of summer sessions, University of California, 405 Hilgard Avenue, Los Angeles 24, or from Western Personnel Service, 30 North Raymond Avenue, Pasadena 1, California.

SUMMER COURSES FOR TEACHERS AT STANFORD

Stanford University has announced the program for the School of Education summer quarter opening on July 10 and closing September 1. The offerings include courses, seminars, and workshops for administrators and teachers in service and for those seeking credentials and graduate degrees.

Of special interest to school administrators will be the courses in supervision, administration, and curriculum development in which a number of city and county administrators are collaborating with Professor J. Paul Leonard. Other courses leading to the administrative cre-

dential will be offered by Professor Paul R. Hanna and Professor John C. Almack.

Summer workshops at Stanford University will include those for science teachers, mathematics teachers, and language arts teachers. Consultants from the field will cooperate in workshop activities.

Courses in other departments of special interest to teachers and administrators include the Inter-American Workshop for Teachers, Children's Theater, Dramatization of Children's Literature, Speech Correction for Classroom Teachers, Discussion Techniques for High School Classes, High School Dramatics, Teacher's Speech Training, Radio For Teachers, Global Geography and Map Interpretation, School Hygiene Programs, and Methods in Physical Education Activities. The administration of the Palo Alto Community Center is co-operating with the School of Education in making available the facilities of the Science Museum and Children's Theater.

RADIO PROGRAM LISTING SERVICE

The following programs have been added to the list of the original twenty-seven radio programs chosen by the Advisory Committee for Network Program Listing, Federal Radio Education Committee, United States Office of Education. The original list appeared in *California Schools* for January, 1944. Additions to the list have appeared in subsequent issues. Teachers should check local radio stations for the hour at which the program is released by California broadcasting stations.

SUNDAY

THE CORONET STORY-TELLER (MBS)

A dramatic series based on the fictional and factual stories appearing in current issues of Coronet Magazine. Tales of life in wartime, discussions of current problems, profile portraits of outstanding men of the present, and biographical sketches of past heroes. Originates over WGN, Chicago, and original music is presented by the WGN concert orchestra. Junior and senior high school students and adults.

TUESDAY

AMERICAN FORUM OF THE AIR (MBS)

One of America's oldest forum programs. Discusses current affairs from Washington, D. C., with S. Theodore Granik as moderator. Program features Senators, Congressmen, and other national figures. Senior high school and adults.

COLUMBIA PRESENTS CORWIN (CBS)

A series produced, directed, and for the most part written by Norman Corwin, to include documentary dramas, fantasies, radio cantatas, and poetry, with no restrictions as to subject matter or technique. Recommended particularly for drama classes, as excellent examples of modern radio writing and production techniques.

FRIDAY

FREEDOM OF OPPORTUNITY (MBS)

A dramatic presentation of the life stories of some of America's outstanding young men, particularly those who are making unusual contributions to the war. A committee of leading American citizens helps in the selection of the "young men of the week" and awards of achievement are a part of each program. U. S. Junior Chamber of Commerce co-operates in presenting program. Senior high school and adult level. Sponsor: Mutual Benefit Health and Accident Association of Omaha.

SATURDAY

COLUMBIA'S COUNTRY JOURNAL (CBS)

Weekly delineator of activities, problems, home life and opinions of American farm families; farm legislation, scientific wartime farm methods from Washington. Vocational Agriculture and Home Economics students and adults.

LAND OF THE LOST (Blue Network)

A series of comedy-fantasy stories of primary appeal to young children. Stories deal with adventures of two children who visit a fabulous "land where lost things go" at the bottom of the sea. Using this device, the sequences deal with a variety of subjects, ranging from the fish and animals which live under the sea to the voyage of the Spanish Armada. Has been compared to such classics as *Peter Pan*, *Alice in Wonderland*, and *The Wizard of Oz*. Lower elementary level.

OFF-DUTY EDUCATIONAL PROGRAM FOR NAVY MEN

School administrators of California are asked to investigate and appraise the courses being offered in an off-duty education program conducted for Navy service men by the Navy Department, Educational Services Division, Training Division, Bureau of Naval Personnel. The program includes high school and college courses with instruction provided in classrooms and through correspondence courses.

It is the policy of the Navy Department neither to give, nor to recommend, academic credit for courses completed during Naval service. The Navy Department does not award degrees or diplomas. This function is performed by the colleges and secondary schools of the country. The Navy Department believes, therefore, that these institutions should assume responsibility for appraising educational programs for which academic credit is to be awarded. Descriptions of the various types of training completed by Naval personnel will be made available in order that academic institutions or educational associations may be able to evaluate in-service education.

EXHIBIT ON NEGRO LIFE AVAILABLE TO SCHOOLS

A photographic exhibit, "The Negro in American Life" is being circulated by the Council Against Intolerance in America to schools, labor unions, civic organizations and libraries throughout the country. The exhibit consists of 24 large placards with eight to 10 photographs on each placard. The first main group is concerned with the Negro's background and with his cultural contributions to America; the second group considers the Negro's intelligence and its purpose is to show that the Negro, when given opportunity and education is as intelligent as anyone else; the third group shows the Negro in our history and particularly with his patriotic record in fighting for democracy at home and abroad; the last group sums up the exhibit by asking the observer to think about what he has seen.

Information about the exhibit may be obtained from the Council Against Intolerance in America, 17 East 42nd Street, New York, 17.

AMERICAN COUNCIL ON PUBLIC AFFAIRS ISSUING FORMER OWI PUBLICATION

Publication of the *Victory Bulletin* begun as a weekly information digest of domestic affairs relating to the war, by the Office of War Information, has been taken over and will be continued by the American Council on Public Affairs. The *Victory Bulletin* was discontinued last July by OWI.

The scope and coverage of the publication are now much wider than hitherto. In addition to the basic features of the original publication, the present *Victory Bulletin* offers many new features. It contains extra sections about the armed forces, foreign affairs, labor, new government publications, and war information. It also offers more material about war production, manpower problems, civilian defense, rationing, price regulation, agriculture, etc. In addition, it has more charts and illustrations.

The magazine is particularly useful to public interest groups, educators, civic leaders, schools, libraries, social scientists, and adult education workers.

For sample copies of the magazine and subscription information, inquiries should be addressed to the Council at 2153 Florida Avenue, Washington, D. C.

CHINESE AND GENERAL FAR EASTERN STUDIES AT MILLS COLLEGE

A center for Chinese and general Far Eastern studies, with a special residence hall, Chung Kuo Yuan, has been established in Graduate House on the campus at Mills College for the 1944 Summer Session.

The new division of Chinese and Far Eastern culture is comparable in plan and procedure to La Maison Francaise and Casa Panamericana centers respectively for French language and culture and for the program of Pan American studies which is unique at Mills.

Students and staff will live in Chung Kuo Yuan, probably the only academic building in the United States which is essentially Chinese in its architectural style.

In so far as practicable, students and staff will use the Chinese language, courses in which have been part of the regular curriculum at Mills College during the current year. Various courses will be given in language, art, and in the political history of China, with frequent lectures by visitors who know Chinese life and culture at first hand.

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DIRECTORY OF THE CALIFORNIA STATE DEPARTMENT OF EDUCATION

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